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manent tribunal, by every decision, settles a principle as well as a controversy.

I do not remember the year,—it was somewhere about 1830, I think,—that a question was submitted to the Supreme Court of the United States, whether the State of New York could grant a license giving Fulton a monopoly to run steamships on the Hudson River. The controversy arose between the State of New Jersey and the State of New York upon that point. When the Supreme Court of the United States said, “No, the navigable waters of this nation flow unfettered to the sea, and no State may build a bar across them,” it decided not merely what Fulton might do, what New York might do, but for all future time what was the law regulating the navigable waters of this great continent. Courts of arbitration, that is temporary courts, grow out of a quarrel, to settle that quarrel; they disappear when that quarrel is ended, and settle nothing but the quarrel. Courts of law create, interpret, declare, establish, maintain, those great principles of jurisprudence by which the community is governed in the future. This, therefore, is what we stand for: a judicial tribunal, having a judicial continuity and history, so constituted that it may officially interpret and apply the great principles of justice between nations.

But it is said, there are questions we cannot submit to such a tribunal. I think some gentleman on this floor said, “Suppose a footpad attacked you in the street, would you submit that to arbitration?” I should, instantly. The first thing I would do would be to cry “Police!” and when the policeman came I should say, “Take this man to the police court, and I will go too, and we will have that permanent court of arbitration decide whether I keep my watch or he shall have it.” It would only be in case there was no court to which I had access that I should defend myself; and as I am not much of an athlete and never go armed, I should probably surrender my watch! All questions between man and man are submitted to the decisions of a court. All questions between State and State are submitted to the decision of a court. And the principle that all questions between nation and nation shall be submitted to the arbitrament of an impartial tribunal would not detract from the sovereignty, the safety, the dignity, or the nobility of a nation.

Let us not be mistaken; let us not misunderstand. The issue is between the animal and the spiritual. It is between the child of the tiger and the child of God. It is between reason and brute force. It is the issue between Christianity and barbarism. Let us not misunderstand; the proposal introduced into the Senate of the United States,—I am glad to say, apparently not seriously entertained by that dignified body,—to appropriate a hundred million dollars for fortifications along our seacoast, is not a proposal for national defence. Who proposes to put forts along the Mexican border? Who does not know that from the mouth of the Penobscot to Vancouver the long border line between Canada and the United States is without any fortification, and the lakes without a man-of-war, because England and America have agreed that it shall be so, and we live in peace? What do we fear, that we must spend millions on millions of dollars upon coast fortifications? Spain? For twelve long months she has been trying to put down a handful of guerillas in her own Cuba, and cannot do it! Are we to stand in dread of her? Or England? A hundred years ago, when we were but thirteen feeble States, with scarcely as large a population as

now makes up the Greater New York, she tried in vain to conquer us. No, let us not misunderstand the issue. On the one side the proposal of prodigiously increasing navy and army and fortifications is a proposal that appeals to the tiger in man; on the other side is the proposal for a permanent tribunal, which shall administer justice between nation and nation, as for many centuries courts have administered justice between individual and individual, and for a hundred years courts have administered justice between State and State upon this American continent,—a proposal for the maintenance of law and the supremacy of reason. (Applause.)

A PERMANENT TRIBUNAL THE BEST SOLUTION.

BY WILLIAM ALLEN BUTLER, OF THE NEW YORK BAR.

That was a wise maxim of Lord Bacon that in counsel all dangers should be considered, and in execution none. We have reached the point in the deliberations of this Conference where, having taken counsel, it will be in order to plan and determine for future action. In taking counsel, it has been most serviceable that so much time and attention have been given to obstacles and difficulties; and I think that the careful and instructive *caveat* which was presented last evening by our distinguished friend Mr. Kasson had its proper place in our deliberations. It was a wise caution against that raw haste which is “half-sister to delay,” against that precipitance of sentiment and imagination which sometimes impels “fools to rush in where angels fear to tread.” And yet, giving all due weight to those examples and instances which are deduced from history and from experience, it will not do to leave out of view, in any movement for reform and progress, that supreme element of enthusiasm which is its vital instinct and power. If Henry of Navarre, in the sixteenth century, could keep the peace of France as between Huguenot and Romanist, and could forecast a period of union among all the States of Europe, placing himself, for the moment, with his white plume, amongst those

“Who rowing hard against the stream,
Saw distant Gates of Eden gleam,
And did not dream it was a dream”,—

certainly we at the end of the nineteenth century, upon a higher plane of civilization and Christian faith, are not to be charged as dreamers or enthusiasts if we believe that it is possible, at this period of time to unite, for peaceful methods in the solution of international difficulties, the great nations of the earth. It is only an advance step in that cheerful optimism which enabled our friend Mr. Kasson to see, in the message of December last which came like a thunderbolt out of a clear sky, and scared two hemispheres with the apprehension of war, a message of “peace and goodwill.” (Laughter.)

Some things, it seems to me, have been settled already in this Conference; and I will briefly enumerate what I take to be the consensus of opinion here. In the first place, it seems clear that we have arrived at the conclusion that the basis of this movement is its moral force. The results that are sought here do not belong to the sphere of political economy alone, although political economy of course is in touch with them; nor yet to the relations between labor and capital, although that is distinctly involved; nor even to the mere humanities, though humanity never was before such a life-saving institution as

it is to-day. But above all, beyond all these, there is the quickened conscience, there is the awakened moral sense of the whole civilized world, in revolt against the horrors of war which have devastated the earth and drenched it with blood. And it is that voice of a quickened and enlightened conscience which is calling out, like the souls beneath the altar, "How long, O Lord, how long!" The force of such a moral power we cannot overestimate. No man who lived through the last days of the Slave Power and through the days of the war which followed and who recollects the instantaneous revulsion of feeling, the almost miraculous conversion of the North within twenty-four hours after Sumter had been fired on, can fail to have some sense of the power of a moral idea when it is once entrenched in the minds of a civilized, Christian people.

The second point in respect of which it seems to me we have arrived at a consensus of opinion, is that arbitration must be by agreement. The basis of all arbitration has always been agreement. And the basis of all agreement is the good faith of the parties; it comes to that at last. I care not what form of agreement is entered into, whether it is the marriage relation between individuals or a treaty between nations; it is the good faith of the parties upon which depends the execution of the agreement. And when it is broken, as it may be, the only redress is such as the law of the land may provide, or as force may control. Therefore it seems to me quite useless to discuss the question whether arbitration agreements or conventions or treaties will or will not be capable of enforcement. The whole matter of international settlement of disputes must rest upon the good faith of the parties concerned, and that, I think, we all have come to understand.

In the third place,—and here I quite agree with the view presented by Mr. Kasson last night,—whatsoever is done must be by the use of the existing means of international intercourse. It would be chimerical, it would be visionary, it would be entering upon a field from which we have been wisely warned off, if we undertook to substitute for the established means of international intercourse any new, untried, experimental power. Therefore I must respectfully dissent from the plan formulated by the New York Bar Association, so far as it proposes to set up the tribunal of arbitration, or the permanent court, by some other method than that to be arrived at by the treaty-making powers of the nations in question.

In the fourth place, a permanent tribunal seems to me to present, to the minds of us all, a better solution of this question than a commission of arbitration. Arbitration is a term which we use popularly, and which has also its legal sense. Popularly it means a resort to methods of settling differences outside those methods which the law has provided. And therefore the law frowns on arbitration, because it seems to be against public policy that private individuals, after society has provided the means of settling their disputes, should agree that they will have none of those means, but will act to please themselves. Therefore, as understood in the popular sense, arbitration is against law, and where parties put a clause into their agreement that they will arbitrate, the courts will disregard it. But as between nations, as there is no tribunal superior to each sovereignty, it becomes absolutely necessary to resort by convention to what in the language of diplomacy and international law is called arbitration. But it by no means follows that the elements of private arbitration should be transferred and imported into this larger

sphere of international arbitration. The international arbitration ought not to be so much an arbitration;—that is, the action of the two parties selected respectively by the contestants, with an umpire called in to decide between them;—as it should be a tribunal governed by law, administered by the impartial methods of a permanent court. Therefore I submit that the weight of argument is entirely in favor of a permanent tribunal, to be composed in such manner as the contracting nations shall determine, and to have all the attributes of a court, which are permanence, organic life, freedom from disturbance by the dropping out of any particular member of the court, rules of procedure, a method of calling it into action on behalf of parties interested, and the power to deliver a binding decree.

Now we have;—and it has struck me with a little surprise that in all the discussions upon the subject which have been drawn to my attention this point has not been brought out;—we have to-day and we have had for centuries, going back into the antiquity of jurisprudence before the time of the Christian era, an international court in time of war. I refer to the prize-court, whose jurisdiction, as Judge Story says, in the case of the "Emulous," reported in 1 Gallison, "is found among the most venerable relics of ancient jurisprudence."

A prize-court exists in time of war, with absolute power to administer international law with respect to all captures by belligerents upon the high seas. The sea being the common highway of all nations of the earth, in the exclusive jurisdiction of no nation, this fact led to the acceptance by the whole maritime world, by all the commercial nations of the earth, of the jurisdiction of the prize-courts, which have always administered international law according to the rules of the civil law of Rome, in the simplest manner, but with an efficacy and a power which are absolutely binding. So that any man, in Marseilles or Alexandria or Hamburg, in time of war, seeing the flag of an auctioneer indicating the sale of a vessel captured on the high seas by a belligerent, brought into port for adjudication, and condemned by the prize-court, can bid and buy and get a title against all the world.

Now is it not a striking thing that the nations of the earth, impelled by nature and necessity, have from time immemorial set up and acquiesced in the jurisdiction of a court, whose doors, like the gates of the Temple of Janus, are shut in peace and opened in war, hesitate to come together on a like basis and have a court whose doors shall be opened in time of peace and only closed in time of war.

As to the practicability of creating such a court, I will say only a word. We have the opinion of Judge Brewer, the president of our present Venezuelan Commission, that it is entirely practicable in his judgment. As for authority, I would rest the argument on that opinion. As to fact, I would point to what has been referred to here so often, the action of Congress, the action of the British Parliament, and what Mr. Kasson referred to last night, the action of the legislative department of the Republic of France.

The points which I have enumerated having been quite definitely settled, as I submit, what remains is by definite, concentrated, judicious action to impress upon the minds of the community here, in England, and in Europe, these cardinal principles, and then to press upon the Executive of our country, and in all proper ways upon all the organs and instruments of official action charged with duties and

responsibilities which are germane to this subject, prompt, timely, wise and efficient action looking to the establishment of a permanent tribunal.

I am decidedly in favor of confining what is to be done for the present to England and France, for reasons that have already been urged and which I think have commended themselves to the judgment of the Conference. When General Grant visited Europe, Judge Edwards Pierrepont, an able lawyer and judge of New York, was our minister at the Court of St. James. He told me that he planned to give a dinner to General Grant, which the Prince of Wales had agreed to attend, and to which he invited the entire diplomatic corps. He received a very polite note from the Turkish ambassador, who was the Dean of the diplomatic corps, saying that they would be happy to come, but it was his duty to notify the minister that, inasmuch as General Grant had ceased to be president and was only a private citizen, the members of the diplomatic corps, official representatives of existing sovereigns, would expect to take precedence of him at the dinner table. Judge Pierrepont immediately had a large diagram made of the dinner table and of the seats prepared; at the head he wrote his own name, on either side he placed General Grant and the Prince of Wales, and he then sent the diagram to the Turkish ambassador, and told him that he could fill up the rest. They all came,—every mother's diplomatic son of them! Let us take a leaf out of the book of diplomacy. Let us have the United States and Great Britain at the head of this table of conciliation; and my opinion is that the other powers would hurry to get their legs under the same mahogany.

As to all other details, we must fall back upon one thing that I have noticed has commanded universal assent, and that is the spirit of invention and accommodation and progress and the indomitability of the Anglo-Saxon race. Judge Jeremiah Black, who our friends from Pennsylvania know was one of the ablest and brightest men we ever had in public life, once told a story in my hearing, of an old Dutch Democrat who came from that part of Pennsylvania where the tradition is that they kept on voting for General Jackson a good many years after he was dead. At all events he was a thorough Jacksonian Democrat, and somehow he got into Congress. The Whig party had a measure which they were trying to pass, and the leader of the Whigs on the floor closed the debate with a passionate address, in which he declared that the passage of the measure was essential for the progress of the Anglo-Saxon race. The vote was taken, and to the amazement of all the Democrats, this old Dutchman voted Aye. They rushed in, told him his vote was wrong, and begged him to change it before it was too late. "No," said he, "I always go mit der Anglo-Schackson party." Now I am a pronounced,—not a mispronounced,—Anglo-Saxon, and I have the utmost faith in the ability of that race which has done so much on both sides of the water for the advancement of human rights, for the establishment of liberty in its largest and highest sense, and for the establishment of a true Christian civilization, to work out this problem of international arbitration with the strength that levels obstructions, and the faith that removes mountains. (Applause.)

Ripans Tabules cure nausea.

Ripans Tabules cure dizziness.

Ripans Tabules cure headache.

Ripans Tabules cure flatulence.

We go to press too early to get any detailed account of the Thirtieth Annual Meeting of the Universal Peace Union and the Connecticut Peace Society in the Peace Grove at Mystic, Conn. The meeting began on the 26th of August and lasted four days. The crowds were large each day, numbering many thousands. Able addresses were delivered by Alfred H. Love, President of the U. P. U., Dr. S. F. Hershey, H. L. Hastings and others. The central event of the four days' meetings was the dedication of the Peace Temple which has been built during the past year.

Li Hung-Chang, the distinguished Chinese Viceroy and statesman in his visit as Ambassador Extraordinary to the civilized nations, has arrived in the United States. He landed in New York on the 28th of August and was given a most cordial welcome as the guest of the State and Nation. A fleet of ten warships was drawn up in the harbor in his honor. The next day he was given a reception by President Cleveland at the home of Mr. Whitney in New York. He has since visited West Point, and is to stop for a short time at Philadelphia and then go to Washington for a few days, after which he will go by way of Niagara to Vancouver and thence sail for China.

PRIZE ESSAYS.

First Prize \$300; Second Prize \$75; Third Prize \$25.

The late Dea. Philo Carpenter, of Chicago, left in trust with his two surviving daughters, Mrs. W. W. Cheney and the late Mrs. Edward Hildreth, a fund "to be used at their discretion, in opposition to * * secret societies." Before the decease of Mrs. Hildreth, it had been decided to use a portion of this fund for securing the best manuscripts obtainable discussing the evils of secret associations touching the obligations of good citizenship, and especially Christian citizenship; the execution of this purpose to be committed to the New England Christian Association, and carried out under the direction of its secretary, Rev. James P. Stoddard. It is in pursuance of this end that the following prizes are offered, viz.:

For the best manuscript, as above noted, on "Secrecy and Citizenship,"	\$300.00
For the next best,	75.00
For the third,	25.00

The prizes to be awarded by competent, disinterested and impartial judges chosen by the trustee of the above mentioned fund, and having the full approval of the New England Christian Association. Manuscripts submitted to be type-written, with type-written word or number for identification, corresponding to a like word or number upon a sealed envelope containing the name and address of the writer, for identification by the judges after their decision, and to be sent in not later than Jan. 1, 1897. While restricting the writers to no precise limits, it is desirable that the manuscripts do not exceed 15,000 words. It will be understood that the ownership of copyright of prize manuscripts will rest with the trustee, and that as regards all others the right of purchase on terms mutually agreed upon is reserved, as is that of declining, should the judges so decide, any and all manuscripts, and of extension of the time limit.

All letters of inquiry should be addressed to REV. JAMES P. STODDARD, Sec'y N. E. Christian Association, 218 Columbus Ave., Boston, Mass.